

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TINYBUILD LLC, a Washington limited
liability company,

Plaintiff,

v.

NIVAL INTERNATIONAL LIMITED, a
Cypriot corporation,

Defendant.

NO. 2:19-cv-00805-TSZ

**DECLARATION OF DIANA S.
BREAUX IN SUPPORT OF
TINYBUILD'S OPPOSITION TO
DEFENDANT'S MOTION TO STRIKE
AND CROSS MOTION TO EXTEND
DEADLINE**

I, DIANA S. BREAUX, declare as follows:

1. I am an attorney representing Plaintiff tinyBuild LLC ("tinyBuild") in this matter. I have personal knowledge of the facts contained in this declaration and I am competent to testify to them. I submit this declaration in opposition to Nival's Motion to Strike and in support of tinyBuild's Cross Motion to Extend.

2. Defendant Nival International Limited ("Nival") filed a Motion for Protective Order on September 27, 2019. Dkt. 21. Nival noted its motion for consideration on Friday, October 11, 2019.

3. Due to inadvertent error, our office miscalculated the deadline to respond to Nival's motion as Thursday, October 10, 2019. In fact, the deadline was Wednesday, October

1 9. This calculation error was inadvertent.

2 4. tinyBuild does not object to this Court considering Nival's Motion to Strike filed
3 on Tuesday, October 15, 2019, as reply material in support of Nival's Motion for Protective
4 Order. Further, tinyBuild does not oppose Nival filing additional reply material, in the event
5 there is anything more to present to the court on its motion.

6 I declare under penalty of perjury of the laws of the State of Washington that the
7 foregoing is true and correct.

8 DATED this 15th day of October, 2019.

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11 s/Diana S. Breaux
12 Diana S. Breaux, WSBA #46112
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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties who have appeared in this matter.

s/Bonnie Rakes

Bonnie Rakes, Legal Assistant

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